

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

BID FOR POSITION, LLC,

Plaintiff,

v.

AOL, LLC, GOOGLE, INC., MICROSOFT
CORP., and MIVA, INC.,

Defendants.

CASE NO. 2:07-cv-582 JBF/TEM

**DECLARATION OF DAVID A. PERLSON
IN SUPPORT OF DEFENDANT GOOGLE, INC.'S MOTION FOR AN ORDER SUSTAINING
GOOGLE'S OBJECTION TO PLAINTIFF'S DESIGNATION OF DANA TODD AS A
TECHNICAL ADVISOR UNDER THE PROTECTIVE ORDER**

I, David A. Perlson, declare and state as follows:

1. I am a partner of the law firm Quinn Emanuel Urquhart Oliver & Hedges, LLP and represent Defendant Google, Inc. ("Google") in this action.
2. This declaration is made in support of Defendant Google, Inc.'s Motion for an Order Sustaining Google's Objection to Plaintiff's Designation of Dana Todd as a Technical Advisor Under the Protective Order.
3. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff Bid for Position's First Set of Requests for Production.
4. Attached hereto as Exhibit 2 is a true and accurate copy of Dana Todd's resume, as produced by counsel for Plaintiff Bid for Position.
5. Attached hereto as Exhibit 3 is a true and correct copy of selected pages from SiteLab International, Inc.'s website, which was last visited on May 14, 2008.

6. Attached hereto as Exhibit 4 is a true and correct copy of selected pages from Newsforce Inc.'s website, which was last visited on May 14, 2008.

7. Attached hereto as Exhibit 5 is a true and correct copy of selected pages from Search Engine Marketing Professional Organization's website, which was last visited on May 14, 2008.

8. Attached hereto as Exhibit 6 is a true and accurate copy of an April 17, 2008 press release titled "Dana Todd Elected Chairperson of SEMPO, Shares Vision for Organization," available at <http://emediawire.com/releases/2008/4/prweb863714.htm>, which was last visited on May 14, 2008.

9. Attached hereto as Exhibit 7 is a true and accurate copy of a transcript of an interview of Dana Todd by Susan Bratton dated February 15, 2007, available at <http://www.webmasterradio.fm/Entertainment/Dishymix/Linda-Kaplan-Thaler-of--Kaplan-Thaler-Group-and-Dana-Todd-of-SiteLab-Intl-4.htm>, which was last visited on May 14, 2008.

10. Attached hereto as Exhibit 8 is a true and accurate copy of selected pages from Search Engine Panel's website, which was last visited on May 14, 2008.

11. Exhibit 9 is a video available at <http://videos.webpronews.com/2008/03/25/ses-new-york-2008-matt-van-wagner-and-dana-todd/>. Attached hereto is a true and correct copy of the webpage on which the video is available, which was last visited on May 14, 2008.

12. Attached hereto as Exhibit 10 is a true and correct copy of selected pages from Search Engine Roundtable's website, which was last visited on May 14, 2008.

13. Exhibit 11 is a recording, available at <http://manojjasra.blogspot.com/2007/01/interview-sempo-president-dana-todd.html>. Attached hereto is a true and correct copy of the webpage on which the recording is available, which was last visited on May 14, 2008.

14. Attached hereto as Exhibit 12 is a true and correct copy of the Agreed Protective Order entered in this matter on April 28, 2008.

15. Attached hereto as Exhibit 13 is a true and correct copy of David Perlson's May 5, 2008 letter to Greg Dovel Regarding Google's Objection to Dana Todd's Designation as a Technical Advisor.

16. Attached hereto as Exhibit 14 is a true and correct copy of David Rosen's May 6, 2008 letter to David Perlson Responding to Google's Objection to Dana Todd.

17. Attached hereto as Exhibit 15 is a true and correct copy of David Perlson's May 7, 2008 letter to David Rosen, in reply to Mr. Rosen's May 6 letter.

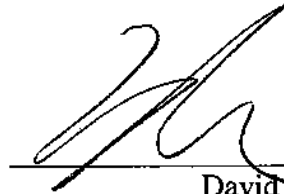
18. Plaintiff Bid for Position LLC has not responded to Google Inc.'s letter of May 7, 2008 regarding Google's continuing objection to the designation of Ms. Todd as a technical advisor pursuant to the Protective Order.

19. Attached as Exhibit 16 is a true and correct copy of the webpage available at <http://adwords.google.com/support/bin/answer.py?answer=6111&query=ad+rank&topic=&type=f&%20onclick=>.

20. Attached hereto as Exhibit 17 is a true and correct copy of selected pages from RedFly Marketing's website, which was last visited on May 15, 2008.

I hereby affirm, under the penalty of perjury of the laws of the United States, that the foregoing states are true and correct.

Dated: May 15, 2008



David A. Perlson